

Town Board Minutes

May 12, 2003

Meeting No. 16

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 12th day of May 2003 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RONALD RUFFINO, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE CHRISTINE FUSCO,
ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
MARY ANN PERRELLO, DEPUTY TOWN CLERK

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER
STEMPIAK, SECONDED BY COUNCIL MEMBER MONTOUR, by roll call vote, to
deliberate in Executive Session for the announced purpose of discussing potential litigation
regarding refuse contract award resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

At 9:24 P.M., the Town Board reconvened with all members present.
The Town Clerk reported that no official actions were taken by the Town Board in Executive
Session.

PERSONS ADDRESSING TOWN BOARD:

Haniszewski, Kathy, 946 Ransom Road, spoke to the Town Board on the following matters:

- Asked if Lee Cadby will be required to build a berm on property as a condition of site plan approval for Cadby Industrial Park.
- Expressed concerns about noise and dust at that location.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matters:

- Asked the Supervisor to explain the SEQR process.
- Comments about Cadby Industrial Park.

Korcz, Richard, 4946 William Street, spoke to the Town Board on the following matter:

- Asks if the Town of Lancaster is responsible for occurrences on Town owned property.

Ribic, Mark, 6830 Transit Road, spoke to the Town Board on the following matters:

- Comments about green space and the tree planing program in the Town of Lancaster.
- Wants the Town of Lancaster to be aggressive in attracting new business.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Questions about: (1.) lighting districts and expenses, (2.) conveyance of County owned land to Town of Lancaster and (3.) cathodic protection system to be installed at Iroquois Avenue pumping station.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed application of Joseph Brainard, owner of Trailers Plus and Star Collision, for a Special Use Permit to operate trailer sales business and a collision shop on premises locally known as 5454 Genesee Street.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Joseph Brainard, the petitioner	5454 Genesee Street	Proponent
Norm Bastian	5747 Genesee Street	Question

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:40 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

May 12, 2003

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the
Town Board held April 28, 2003 and the Regular Meeting of the Town Board held April 28, 2003
be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, WFB Enterprises, Inc., 187 Belmont Avenue, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Meadowlands Subdivision, Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 570 of WFB Enterprises, Inc., 187 Belmont Avenue, Lancaster, New York 14086, for the installation of:

P.I.P. No. 570	As per Town of Lancaster specifications, install one (Street Lights) street light on E. Home Road within the right-of-way approximately on the property line between subplot numbers 20 & 21 in Meadowlands Subdivision, Phase II
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be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003
File: RPIP (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, funds have been received from the New York State Emergency Management Office through the Federal Government to write an All-Hazard Mitigation Plan for each of the 44 communities of Erie County, and

WHEREAS, these funds received by Erie County will be used to assist in preparing a County-wide All-Hazard Mitigation Plan, and

WHEREAS, this plan must be completed by November 2004 by all 44 municipalities, in order to comply with the Federal Mandate, in order to be eligible for FEMA funding after a federal disaster declaration.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the County of Erie Department of Emergency Services to complete the All-Hazard Mitigation Plan, and

BE IT FURTHER

RESOLVED, that funds that Erie County has received will be utilized to complete the All-Hazard Mitigation Plan to meet the Federal Mandate of November 2004, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Erie County Department of Emergency Services to submit this draft plan on behalf of the Town of Lancaster to meet the Federal Mandate of submission by November 1, 2004, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster forward a certified copy of this resolution to the Erie County Department of Emergency Services to be included in the draft All-Hazard Mitigation Plan that will be submitted to the New York State Emergency Management Office for approval.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

May 12, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town of Lancaster has been advised by the County of Erie that certain land-locked parcels in the Town can be made available for conveyance to the Town of Lancaster, and

WHEREAS, the Town Board has reviewed the two parcels in question to wit: SBL# 115.090-1-43 (Johnson Avenue - Paper Street) and SBL# 115.090-1-44 (Woodlawn Avenue - Paper Street) and deems it appropriate and in the interest of the residents of the Town of Lancaster to accept conveyance of these parcels to the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby advises the Erie County legislature that it will accept conveyance of the above referenced parcels from the County of Erie to the Town of Lancaster with the intended use by the Town to be for an expansion of green space/conservation area.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTGOMERY, TO WIT:

WHEREAS, Uniland Development Company, 100 Corporate Parkway, Amherst, New York, has proposed a modification to the entrance at the Eastport Commerce Center on Walden Avenue and the entrance on Pavement Road in which a gateway would be created with walls and signs at both entrances with identical landscaping and 25' double-head lighting, and

WHEREAS, at its meeting April 16, 2003 the Planning Board recommended approval of this modification, and

WHEREAS, the Town Board has given due review and consideration to the proposed modification and deems it to be in the public interest to approve this modification.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the modification proposed by Uniland Development Company to the entrance of the Eastport Commerce Center on Walden Avenue and the entrance on Pavement Road in which a gateway would be created with walls and signs at both entrances with identical landscaping and 25' double-head lighting.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Highway Superintendent, by letter dated May 7, 2003, has requested the appointment of a seasonal employee in the Highway Department of the Town of Lancaster for the summer season of 2003.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of seasonal employee for the summer season of 2003 in the Highway Department of the Town of Lancaster, with no benefits, effective May 19, 2003, at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Gregory Miller 40 Heritage Drive Lancaster, New York 14086	Laborer, seasonal	\$8.50 per hr.

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town of Lancaster through Erie County Sewer District No. 4 is using the services of the county contractor for the installation of a cathodic protection system to be installed at the Iroquois Avenue pumping station owned by the Town of Lancaster and maintained by Erie County Sewer District No. 4, and

WHEREAS, a change order to provide for this protection is required by the contractor, the amount of said change order to be the sum of \$24,900 which includes engineering design costs, and

WHEREAS, the Town Board deems it appropriate to have the Supervisor execute a change order with the County contractor, Kandey Company, Inc. to provide for the beforementioned cathodic protection.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to sign the change order which provides for the installation of the cathodic protection at the Town owned Iroquois Avenue pumping station and further authorizes the Supervisor to pay the contractor for the change order upon completion of the installation of the cathodic protection at the beforementioned pump station.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the General Crew Chief, by letter dated May 7, 2003, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer season of 2003, and

WHEREAS, this appointment is necessary due to a previously appointed employee declining the position.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of seasonal employee for the summer season of 2003 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits, at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Patrick Schunk (new hire) 14 West Payne Street, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

MAY 12, 2003

File: Rpers.seasonal (P8)

PREFILED RESOLUTION NO. 9 - MEETING OF MAY 12, 2003

Stempniak/ _____ Authorize Special Use Permit Joseph Brainard Trailer Sales

At the request of Council Member Stempniak, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Donald C. Babcock, owner of a parcel of property at 4274 Walden Avenue, Lancaster, New York, locally known as Walden Collision, in the Town of Lancaster, and

WHEREAS, Walden Collision has made an application to Erie County Sewer District No. 4 to be an “out of district” customer and such application has been approved.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby grants Walden Collision permission to become an “out of district” customer of Erie County Sewer District No. 4, for service to be limited to its property located on 4274 Walden Avenue, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

PREFILED RESOLUTION NO. 11 - MEETING OF MAY 12, 2003

Stempniak/ _____ Approve Site Plan Cadby Industrial Park (Northeast
Diversification)

At the request of Council Member Stempniak, this resolution was withdrawn for
further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 2044 to Claim No. 2309 Inclusive

Total amount hereby authorized to be paid: \$539, 472.45

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby
reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12_1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

10381	Rich Pools Inc	22 Ivy Way	Er. Pool_Abv Grnd (V/L)
10382	Braunschweig, Thomas	5092 William St	Er. Shed
10383	Duro_Shed Inc	8 Candlestick Ct	Er. Shed
10384	City Fence Inc	1 Hill Valley Dr	Er. Fence
10385	J Gun Enterprises Inc	39 Summerfield Dr	Er. Pool_Abv Grnd
10386	Williams, Ronald	581 Pleasant View Dr	Er. Shed
10387	Ryan Homes	6 Alyssum Ct	Er. Dwlg._Sin.
10388	Avalon Services Inc	109 Michael's Walk	Er. Pool_Abv Grnd
10389	Donnelly, William	109 Michael's Walk	Er. Deck
10390	Rich Pools Inc	17 Rue Madeleine Way	Er. Pool_Abv Grnd
10391	Lireras, Anthony	13 Parkedge Dr	Er. Fence
10392	J Gun Enterprises Inc	13 Parkedge Dr	Er. Pool_Abv Grnd
10393	Kwasniak, Robert	134S Irwinwood Rd	Er. Deck (V/L)
10394	Picciano, Paul	24 Michael Anthony Ln	Er. Fence
10395	Arch Comm. Inc	Hayes Ave	Er. Com. Tower Alt.
10396	Zajac, Thomas	53 Lombardy St	Er. Fence (V/L)
10397	Duro_Shed Inc	42 Michael Anthony Ln	Er. Shed
10398	Leisurewood Design	2 Old Mill Run	Er. Deck
10399	Sandarelli, Robert	21 Deerpath Dr	Er. Deck
10400	Ad Works	182 Central Ave	Er. Comm. Alt. (V/L)
10401	Majestic Pools Inc	120 Pheasant Run Ln	Er. Pool_In Grnd
10402	Swimco Mfg	23 Creekwood Dr	Er. Pool_In Grnd
10403	Capital Fence Co	23 Creekwood Dr	Er. Fence
10404	Swimco Mfg	61 Quail Run Ln	Er. Pool_In Grnd
10405	Swimco Mfg	9 Ryan St	Er. Pool_In Grnd
10406	American Fence Co	9 Ryan St	Er. Fence
10407	Majestic Pools Inc	26 Hunters Dr	Er. Fence
10408	Majestic Pools Inc	26 Hunters Dr	Er. Pool_In Grnd
10409	Majestic Pools Inc	53 Sussex Ln	Er. Pool_In Grnd

10411	Everett, William	8 Parkedge Dr	Er. Pool_Abv Grnd	
10412	Sun Enterprises Inc	5 Riemers Ave	Er. Shed	
10413	Leisurewood Design	65 Michael's Walk	Er. Deck	
10414	Duro_Shed Inc	14 Fox Trace	Er. Shed	
10415	Duro_Shed Inc	11 Nottingham Ln	Er. Shed	
10416	Rich Pools Inc	195 Peppermint Rd	Er. Pool_Abv Grnd	
10417	Stribing, Stephen	71 Pardee Ave	Er. Fence	(V/L)
10418	Iroquois Fence Co	49 Country Pl	Er. Fence	
10419	Shanahan, Patricia	6 Nottingham Ln	Er. Fence	
10420	Wysocki, Gary	76 Stony Brook Dr	Er. Deck	
10421	Kelly, Erica	8 Nottingham Ln	Er. Fence	
10422	Premier Fence Co	26 Hunters Dr	Er. Fence	
10423	Coffed, James	70 Madison St	Er. Garage	(V/L)
10424	TCS Inc	4875 Transit Rd	Er. Comm. Bldg.	
10425	Bulera, Thomas	594 Lake Ave	Er. Res. Add.	
10426	Premier Fence Co	8 Parkedge Dr	Er. Fence	
10427	C Tucker Homes Inc	8 Caladium Ct	Er. Dwlg._Sin.	
10428	Zogaria, Michael	22 Old Post Rd	Er. Fence	
10429	J Gun Enterprizes Inc	53 Lake Forest Pky E	Er. Pool_Abv Grnd	
10430	Capital Fence Inc	103 Court St	Er. Fence	(V/L)
10431	Colley's Pool Sales Inc	31 Clermont Ct	Er. Fence	
10432	Colley's Pool Sales Inc	31 Clermont Ct	Er. Pool_In Grnd	
10433	Colley's Pool Sales Inc	27 Windcroft Ln	Er. Fence	
10434	Swerolin, Frank	1112 Penora St	Er. Shed	
10435	Surdej, Kenneth	40 Stony Brook Dr	Er. Shed	
10436	Atkinson, Peter	7 Fox Hunt Rd	Er. Fence	
10437	Duro_Shed Inc	32 Rollingwood Dr	Er. Shed	
10438	Sinclair, Suzanne	14 Grafton Ct	Er. Shed	
10439	Albert V. Randaccio	35 Stream View Ln	Er. Dwlg._Sin.	
10440	Distintive Deck	21 Sugarbush Ln	Er. Deck	
10441	Distinctive Decks	30 Clermont Ct	Er. Deck	
10442	Montalvo, Monte	47 Summerfield Dr	Er. Fence	
10443	Taite, Augustine	161 Schwartz Rd	Er. Fence	
10444	Hayne, John	213 Central Ave	Er. Comm. Alt.	(V/L)
10445	Brierwood Child Care	4920 William St	Er. Sign_Temp	
10446	Rogowski, Kelly	5072 William St	Er. Fence	
10447	Duro_Shed Inc	2 Apple Blossom Blvd	Shed	
10448	Gagliardi, Paul	79 Southwest Pky	Er. Shed	(V/L)
10449	Duro_Shed Inc	67 Carter St	Er. Shed	(V/L)
10450	Baye, Craig	19 Michael Anthony Ln	Er. Res. Add.	
10451	Quality Aluminum	26 Briarwood Dr	Er. Res. Add.	(V/L)
10452	C. Tucker Homes	224 Peppermint Rd	Er. Dwlg._Sin.	
10453	Marrano/Marc Equity Inc	36 Summerfield Dr	Er. Dwlg._Sin.	

10454	Paul Harlach Inc	4274 Walden Ave	Er. Comm. Bldg.	
10455	Gurbacki, Jeffrey	16 Hunters Dr	Er. Res. Add.	
10456	Duro_Shed Inc	55 Southpoint Dr	Er. Shed	
10457	Kanutsu, John	6435 Genesee St	Er. Dwlg._Sin.	
10458	O'Leary, Daniel	27 Creekwood Dr	Er. Shed	
10459	Allaince Homes	5 Hedge Ln	Er. Townhouses	
10460	Alliance Homes	7 Hedge Ln	Er. Townhouses	
10461	Alliance Homes	9 Hedge Ln	Er. Townhouses	
10462	Allicance Construction	11 Hedge Ln	Er. Townhouses	
10463	Frost, Cynthia	3 Hill Valley Dr	Er. Deck	
10464	Grabenstatter, Gregg	26 Haskell Dr	Er. Garage	
10465	DeGeorge Ceilings Inc	15 Apple Blossom Blvd	Er. Deck	
10466	Renfro, Miles	148 Fourth Ave	Er. Fence	(V/L)
10467	Sledz, Joseph	1 Trentwood Trl	Er. Shed	
10468	Majestic Pools Inc	25 Whitestone Ln	Er. Pool_In Grnd	
10469	Majestic Pools Inc	25 Whitestone Ln	Er. Fence	
10470	Rich Pools Inc	50 Village View	Er. Pool_Abv Grnd	
10471	Kreher, William	89 Richmond Ave	Er. Fence	(V/L)
10472	Hammann, Allen	1337 Ransom Rd	Er. Garage	
10473	Courtney, Rich	120 Pheasant Run Ln	Er. Fence	
10474	Haniszewski, Paul	946 Ransom Rd	Er. Res. Alt.	
10475	Rich Pools Inc	140 Nathan's Trl	Er. Pool_Abv Grnd	
10476	Gruber, Gary	28 Ivy Way	Er. Pool_Abv Grnd	(V/L)
10477	Gruber, Gary	28 Ivy Way	Er. Deck	(V/L)
10478	Forbes Homes	1 Nottingham Ln	Er. Dwlg._Sin.	
10479	Iroquois Fence Inc	24 Village View	Er. Fence	
10480	Sun Enterprises Inc	30 Hidden Trl	Er. Shed	
10481	Rice, Edward	9 Huntley Pl	Er. Shed	(V/L)
10483	Russ, William	15 Old Post Rd	Er. Res. Alt.	
10484	Renaud, Kevin	12 Winding Way	Er. Deck	
10485	Krug, Eugene	27 Erie St	Er. Fence	(V/L)
10486	Duro_Shed Inc	67 Westwood Rd	Er. Shed	
10487	JJJ Improvements	53 Old Post Rd	Er. Deck	
10488	Duro_Shed Inc	313 Peppermint Rd	Er. Shed	
10489	Adimey, Robert Jr	23 Michael Anthony Ln	Er. Res. Add.	
10490	Hall, Brian	92 Christen Ct	Er. Fence	(V/L)
10491	Slivan Pool & Const.	92 Christen Ct	Er. Pool_Abv Grnd	(V/L)
10492	Pluff, T & Gulxzewski, B	26 Sturm St	Er. Pool_Abv Grnd	(V/L)
10493	Premier Fence Co	44 Christen Ct	Er. Fence	(V/L)
10494	Vanless, Byrd	23 Signal Dr	Er. Deck	
10495	Rich Pools Inc	9 Windcroft Ln	Er. Pool_Abv Grnd	
10497	Kuzma, Dennis	24 Summerfield Dr	Er. Shed	
10498	Sittniewski, Kevin	2 Cobblestone Ct	Er. Res. Add.	

10499	Faltisco, Robert	10 Nottingham Ln	Er. Fence
10500	Majestic Pools Inc	190 Nathan's Trl	Er. Fence
10501	Majestic Pools Inc	190 Nathan's Trl	Er. Pool_In Grnd
10502	Majestic Pools Inc	49 Bentley Cir	Er. Fence
10503	Majestic Pools Inc	49 Bentley Cir	Er. Pool_In Grnd
10504	Avalon Services	30 Broezel Ave	Er. Pool_Abv Grnd (V/L)
10505 SW	Pautler, Darin	371 Ransom Rd	Er. Dwlg._Sin.

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 12, 2003

COMMUNICATIONS & REPORTS:

252. General Crew Chief to Supervisor -
Request appointment for seasonal employees. DISPOSITION = Resolution 4/28/03
253. Village of Lancaster to Town Board -
Official minutes of meeting held April 14, 2003. DISPOSITION = Received and Filed
254. Village of Lancaster to Town Board -
Official minutes of organizational meeting held April 14, 2003. DISPOSITION = Received and Filed
255. Town Clerk to Town Board -
Transmittal of third settlement of the 2003 Town/County Tax collection.
DISPOSITION = Received and Filed
256. NYS DOT to Town Attorney -
Notification of Lead Agency designation to the Town of Lancaster regarding Lancaster Dental Associates, PC, 5755 Broadway; comments noted.
DISPOSITION = Planning Committee
257. NYS DEC to Town Attorney -
Notification of Lead Agency designation to the Town of Lancaster regarding Pleasant Heights Subdivision; concerns noted. DISPOSITION = Planning Committee
258. NYS DEC to Town Attorney -
Notification of Lead Agency designation to the Town of Lancaster regarding Lancaster Dental Associates, 5755 Broadway; comments noted. DISPOSITION = Planning Committee
259. Highway Superintendent to Planning Board Chairman -
Notice of approval from Town Highway Department for site plan of LASH Work Environments, Walden Avenue. DISPOSITION = Planning Committee
260. NYS State Board of Real Property Services to Supervisor -
Transmittal of Notice of Tentative Railroad Ceiling for 2003 assessment roll.
DISPOSITION = Received and Filed
261. Depew-Lancaster Boys & Girls Club, Inc to Town Board -
Request to hold 26th Annual 10K Race on July 4, 2003. DISPOSITION = Police Chief
262. Town Line Volunteer Fire Department, Inc. to Town Board -
Invitation to annual Community Memorial Day Service on Monday, May 26, 2003.
DISPOSITION = Received and Filed
263. Richard & Sonja Twardowski, Melissa Bednarz to NYS DOT -
Comments and concerns regarding proposed Transit Road reconstruction.
DISPOSITION = Received and Filed
264. Captain Leon Trzewieczynski to Police Chief -
Notification of retirement effective May 24, 2003. DISPOSITION = Received and Filed
265. Officer Ronald Keicher to Police Chief -
Notification of retirement effective May 19, 2003. DISPOSITION = Received and Filed
266. Highway Superintendent to Planning Board Chairman -
Notice of approval from Town Highway Department for site plan of Twin District Volunteer Fire Company addition. DISPOSITION = Planning Committee

267. Erie County Dept. of Public Works to Town Board -
Notice of pre-construction meeting regarding Hall Road Bridge to be held May 7, 2003 at 2:00 P.M. DISPOSITION = Town Engineer
268. Town Clerk to Supervisor -
Transmittal of monthly report for April 2003. DISPOSITION = Received and Filed
269. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, and Stempniak -
Notice of approval from the Town Forestry Department for the site plans of Twin District Volunteer Fire Company addition, 4983 William Street and LASH Work Environments, 4343 Walden Avenue. DISPOSITION = Planning Committee
270. Town Clerk to Various News Media
Notice of joint meeting with the Lancaster Village Board to be held on May 12, 2003 following Town Board meeting to discuss progress of merged police departments. DISPOSITION = Received and Filed
271. NYS DEC to Town Attorney -
Transmittal of concerns regarding the Cross Creek Subdivision. DISPOSITION = Planning Committee
272. Highway Superintendent to Town Board -
Request for appointment of Gregory Miller as a seasonal employee.
DISPOSITION = Resolution 5/12/03
273. Lancaster Area Chamber of Commerce to Town Board -
Broadway and Central Avenue construction update. DISPOSITION = Received and Filed
274. General Crew Chief to Supervisor -
Request appointment of Patrick Schunk as a seasonal employee.
DISPOSITION = Resolution 5/12/03
275. Acres International to Town Board -
Notice of meeting to be held May 12, 2003 regarding the proposed reconstruction of Transit Road. DISPOSITION = Received and Filed
276. Erie County Dept. of Environment & Planning to Planning Board Chairman -
Comments regarding SEQR review for proposed subdivision north of Columbia, south of Kennedy Court. DISPOSITION = Planning Committee
277. NYS DEC to Interested Parties -
Notification of May 4 - 10, 2003 as Water Week in New York State.
DISPOSITION = Received and Filed
278. Town Attorney to Town Board , Planning Board, Town Clerk, Building Inspector, and Town Engineer -
Notice of SEQR meeting May 19, 2003 at 6:30 PM to review site plan of Lancaster Dental Office and to consider resolution regarding Roseland Subdivision.
DISPOSITION = Received and Filed
279. Highway Superintendent to Town Board -
Request resolution to purchase 16" cold planer. DISPOSITION = Resolution
280. Planning Board to Town Board -
Recommend approval with conditions of site plan for Twin District Volunteer Fire Company addition. DISPOSITION = Planning Committee
281. Planning Board to Town Board -
Recommend approval of site plan for Lash Work Environments, Walden Avenue.
DISPOSITION = Planning Committee

282. Planning Board to Town Board -
Recommend approval with conditions of site plan for Lancaster Dental Office, 5755 Broadway. DISPOSITION = Planning Committee
283. Planning Board to Town Board –
Recommend approval with conditions of site plan for Cadby Industrial Park, south of Walden Avenue, west of Ransom Road. DISPOSITION = Planning Committee
284. J & A Enterprises of WNY Inc d/b/a Abruzzi Pasta to Town Clerk -
Advisement of renewal of liquor license. DISPOSITION = Police Chief
285. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer, Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held May 7, 2003.
DISPOSITION = Received and Filed
286. Town Clerk to Various News Media -
Notice of SEQR meeting, May 19, 2003 at 6:30 PM to review site plan application of Lancaster Dental Office and address any further environmental review for Roseland Subdivision. DISPOSITION = Received and Filed
287. Thomas M. Prince to Town Board -
Petition requesting stop sign on Nathan's Trail at corner of Katelyn Lane.
DISPOSITION = Public Safety Committee, Police Chief
288. NYS DEC to Buffalo Crushed Stone, Inc -
Notice of renewal of mining permit operation at Barton Road Quarry.
DISPOSITION = Town Attorney
289. Association of Erie County Governments to Town Board -
Notice of meeting to be held May 22, 2003 at 6:30 PM. DISPOSITION = Received and Filed
290. UBS Paine Webber to Town Board -
Offer of alternative approach to funding of Firefighter's Length of Service Award Program. DISPOSITION = Supervisor
291. LIDA to Supervisor -
Notice of public hearing to be held Thursday, May 15, 2003 at 4:00 PM regarding Symmetry Development, LLC project. DISPOSITION = Received and Filed
292. Erie County Dept. of Emergency Services to Town Board -
Proposed resolution regarding the Draft All-Hazard Mitigation plan.
DISPOSITION = Resolution 5/12/03

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER MONTOUR, AND SECONDED BY
COUNCIL MEMBER STEMPIAK, FOR ADJOURNMENT OF THE MEETING, on roll,
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The meeting was adjourned at 9:24 P.M.

Signed _____
Johanna M. Coleman, Town Clerk